

**Enrolled Minutes of the Twenty-Fifth Regular Meeting
For the Twenty-Sixth Highland Town Council
Monday, December 22, 2008**

Study Session. The Twenty-Sixth Town Council of the Town of Highland, Lake County, Indiana met in a study session preceding the regular meeting on Monday, December 22, 2008 at 6:30 O'clock P.M. in the regular place, the meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

Silent Roll Call: Councilors Bernie Zemen, Mark Herak, Dan Vassar, Brian Novak, and Konnie Kuiper were present. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

General Substance of Matters Discussed.

1. The Town Council discussed the agenda of the imminent meeting.
2. The Town Council discussed the possible extension of materials and supplies bids. The public works director noted that it was unclear whether or not the contractors would consent to an extension, but he was seeking authority so that he may make the inquiry. (Confer Works Board Order No. 2008-34)
3. The Town Council discussed the prospects of perhaps purchasing gasoline in the futures market or in such a manner as to lock in or guarantee its lowest possible price.
4. The Town Council discussed the desirability of convening a special study session for Friday, December 26, 2008 at 8:30 a.m. in order to conduct an additional interview for prospective candidates for appointment to various boards and commissions. It was noted that the agenda could be amended to permit the Town Council to call the meeting.
5. The Town Council discussed the item of business in which it would consider a recommendation of a particular group medical insurance plan for the full-time municipal workforce.

The study session ended at 7:00 O'clock p.m.

Regular Meeting. The Twenty Fifth Town Council of the Town of Highland, Lake County, Indiana met in its regular session on Monday, December 22, 2008 at 7:01 O'clock P.M. in the regular place, the plenary meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

The Town Council President Bernie Zemen presided and the Town Clerk-Treasurer was present to memorialize the proceedings.

The session was opened with Councilor Brian Novak leading the pledge of allegiance to the United States Flag and offering a prayer.

Roll Call: Present on roll call were Councilors Bernie Zemen, Mark Herak, Dan Vassar, Brian Novak and Konnie Kuiper. The Town Clerk-Treasurer Michael Griffin was present. A quorum was attained.

Additional Officials Present: Rhett L. Tauber, Attorney at Law; John M. Bach, Public Works Director; Peter T. Hojnicky, Metropolitan Police Chief; Alex M. Brown, CPRP; William R. Timmer, CFOD, Fire Chief; and Kenneth J. Mika, Building Commissioner.

Ed Dabrowski of the Park and Recreation Board; and Mark Roorda of the Town Board of Metropolitan Police Commissioners were present.

Thomas Brown of Brown Insurance Group, was also present.

Minutes of the Previous Sessions

The minutes of the regular meeting of December 08, 2008 were approved by general consent.

Special Orders:

1. **Advisory Board of Zoning Appeals Docket:** Petition for a Use Variance for property located at **8632 Osborne**, Highland, to be utilized as a **single-family residential use** located in a B-2 Zoned District (Neighborhood Business District). Petitioner Ms. Agnes Krimanic, 2740 Georgetowne Unit E2, Highland. The Advisory Board of Zoning Appeals by a vote of three in favor and zero opposed voted to **favorably recommend the request for the use variance**. The ABZA acted at its meeting of 22 October 2008. The findings of fact were memorialized and the board approved the facts in written form at its meeting of 10 December 2008. (90 days ends 20 January 2009.)

*Pursuant to IC 36-7-4-918.6, the Town Council may either **accept the recommendation** and grant the requested use variance or it may **reject the recommendation** and deny the use variance.*

Councilor Herak moved to approve the findings of fact, accept the recommendation of the Board of Zoning Appeals and grant the use variance. Councilor Kuiper seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The use variance was approved.

Unfinished Business and General Orders:

1. **Resolution No. 2008-55:** An Exigent Resolution Providing for the Transfer of Appropriation Balances from and among Major Budget Classifications in the Redevelopment General Fund as Requested by the Department Head or Proper Officer and Forwarded to the Town Council for its action pursuant to IC 6-1.1-18-6. Councilor Herak moved the passage and adoption of Resolution No. 2008-55. Councilor Novak seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The resolution was adopted.

TOWN of HIGHLAND APPROPRIATION TRANSFER RESOLUTION RESOLUTION NO. 2008-55

AN EXIGENT RESOLUTION PROVIDING for the TRANSFER of APPROPRIATION BALANCES from and AMONG MAJOR BUDGET CLASSIFICATIONS in the REDEVELOPMENT GENERAL FUND as REQUESTED by the DEPARTMENT HEAD or PROPER OFFICER and FORWARDED to the TOWN COUNCIL for its ACTION PURSUANT TO IC 6-1.1-18-6.

WHEREAS, It has been determined that certain exigent conditions have developed since adoption of the annual budget and it is now necessary to transfer certain appropriations into different categories than were appropriated in the annual budget for the various functions of the **Redevelopment Fund**;

WHEREAS, The Town Council has been advised that the transfers could involve creation and authorization of a major expense category, for which no appropriations were approved in the current budget;

NOW, THEREFORE BE IT RESOLVED by the Town Council of the Town of Highland, Lake County, Indiana as follows:

Section 1. That for the expenses of said municipality, the following appropriations are hereby transferred and set apart out of the funds hereinafter named for the purposes herein specified, subject to the laws governing the same, such sums herein transferred unless otherwise stipulated by law;

Section 2. That it has been shown that certain existing appropriations of the Redevelopment General Fund have unobligated balances which will not be needed at this time for the purposes for which appropriated, so it will not be necessary to increase the 2008 budget, and may be transferred to a category of appropriation not heretofore present in this department or office of the fund, but now hereby authorized and established, as follows:

REDEVELOPMENT GENERAL FUND

Reduce Account:	#111.16 Personnel Temp Services	<u>\$ 5,000.00</u>
	Total 100 Series Reductions	\$ 5,000.00
Reduce Account:	#200.03 Misc. Supplies	<u>\$ 1,200.00</u>
	Total 200 Series Reductions	\$ 1,200.00
Reduce Accounts:	#310.04 Tuition/Prof. Development	\$ 1,198.00
	#390.04 Kiosk Design	<u>\$ 1,640.00</u>
	Total 300 Series Reductions	\$ 2,838.00
Increase Account:	#310.03 Consultants	<u>\$ 9,038.00</u>
	Total 300 Series Increases	\$ 9,038.00
	Total of All Fund Decreases:	\$ 9,038.00
	Total of All Fund Increases:	\$ 9,038.00

DULY RESOLVED and ADOPTED this 22nd Day of December 2008 by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Bernie Zemen, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA
Clerk-Treasurer (IC 33-16-4-1;IC 36-5-6-5)

- 2. Resolution No. 2008-56:** A Resolution Regarding the Disposition of Appropriated Resources in the Building and Inspection Department, Authorizing its transfer to the Unsafe Building Fund, pursuant to I.C. 36-7-9 et seq. *(If adopted, this will transfer \$10,000 from the Building and Inspection Department of the General Fund to the Unsafe Building Fund.)* Councilor Herak moved the passage and adoption of Resolution No. 2008-56. Councilor Novak seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The resolution was adopted.

**TOWN COUNCIL of the TOWN of HIGHLAND
RESOLUTION NO. 2008-56**

A Resolution Regarding the Disposition of Appropriated Resources in the Building and Inspection Department, Authorizing its transfer to the Unsafe Building Fund, pursuant to I.C. 36-7-9 et seq.

WHEREAS, The Town of Highland by proper legislative action, has established an unsafe building fund, pursuant to IC 36-7-9-14, codified as Section § 210.116 of the Highland Municipal Code;

WHEREAS, Indiana Code 36-7-9-14 (b) provides that money for the unsafe building fund may be received from any source, including appropriations by local, state and federal governments and donations;

WHEREAS, The Town Council did identify appropriations that may be transferred to the Unsafe Building Fund in the budget of the Building and Inspection Department of the Corporation General Fund;

WHEREAS, The Building Commissioner as zoning administrator and responsible officer for the enforcement of the unsafe building law, has requested and recommended the identified amount be transferred to the unsafe building fund;

NOW, THEREFORE BE IT RESOLVED by the Town Council of the Town of Highland, Lake County, Indiana as follows:

Section 1. That for the expenses of said municipality, the following appropriations are hereby transferred and set apart out of the funds hereinafter named for the purposes herein specified, subject to the laws governing the same, such sums herein transferred unless otherwise stipulated by law;

Section 2. That it has been shown that certain existing appropriations of the Building and Inspection Department of the Corporation General Fund have unobligated balances which will not be needed at this time for the purposes for which appropriated, so it will not be necessary to increase the 2008 budget, and may be transferred to the **Unsafe Building Fund**, as follows:

CORPORATION GENERAL FUND

Building and Inspection Department

Transfer from Acct. 310.05 Unsafe Building Demolition: \$10,000.00

UNSAFE BUILDING FUND

Transfer to cash (unappropriated balance) on deposit to the fund: \$10,000.00

Section 3. That the Clerk-Treasurer as the disbursing and fiscal officer of the Municipality, is hereby instructed, authorized and directed to transfer the amount, as identified, to the Unsafe Building Fund.

DULY RESOLVED and ADOPTED this 22nd Day of December 2008 by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Bernie Zemen, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

3. **Resolution No. 2008-57:** A Resolution Authorizing a Transfer to the Rainy Day Fund of Identified Monies, pursuant to IC 36-1-8-5.1 et seq. (If adopted, this will transfer \$44,000 from the Services and Works Board Department of the General Fund to the Rainy Day Fund. *(The amount represents an estimate of savings in the premiums paid for commercial and general liability insurance plans achieved by raising the deductible to \$10,000 per occurrence)* Councilor Novak moved the passage and adoption of Resolution No. 2008-57. Councilor Vassar seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The resolution was adopted.

**Town of Highland
RESOLUTION NO. 2008-57**

**A RESOLUTION AUTHORIZING A TRANSFER TO THE RAINY DAY FUND OF IDENTIFIED MONIES,
PURSUANT TO IC 36-1-8-5.1 ET SEQ.**

WHEREAS, The Highland Town Council did establish a **Rainy Fund**, by passage and adoption of Ordinance No. 1408, all pursuant to IC 36-1-8-5.1;

WHEREAS, Indiana Code 36-1-8-5.1 (b)(2)(B) further provides that an ordinance establishing a Rainy Day Fund must specify the sources of funding for the rainy day fund, which may include any funding source specified in the adopting ordinance and not otherwise prohibited by law;

WHEREAS, Indiana Code 36-1-8-5.1 (d) provides that in any fiscal year, a political subdivision may transfer under (IC 36-1-8-5) not more than ten percent (10%) of the political subdivision's total annual budget for that fiscal year, adopted under IC 6-1.1-17, to the rainy day fund;

WHEREAS, Section § XXX.01 (C) (3) of Ordinance No. 1408 provides that sources for the Town's Rainy Day Fund may include: *"An appropriation in the annual budget in the several funds of the municipality as maybe identified and approved by the Town Council, and then transferred to the Rainy Day Fund, subject to the provision of IC 36-1-8-5.1(d); "*

WHEREAS, The Town Council of the Town of Highland has identified an amount, appropriated in the Services and Works Board Department of the General Fund, representing estimated insurance premium savings from FY 2006 and has further determined that there is a need at this time to transfer that amount from the Corporation General Fund to the Rainy Day Fund;

NOW, THEREFORE BE IT RESOLVED by the Council of the Town of Highland, Lake County, Indiana, as follows:

Section 1. That the Clerk-Treasurer be and is hereby directed to transfer the following identified amount of **\$44,000.00** from the Town of Highland Services and Works Board Department of the Corporation General Fund to the Rainy Day Fund:

CORPORATION GENERAL FUND

Services and Works Board Department

Acct. 340.15 Transfer to Rainy day Fund \$ 44,000.00

Section 2. That the Town Council finds and determines:

(A) that the total appropriated amount of the budget passed and adopted by the Town Council, under IC 6-1.1-17 for FY 2008 is \$14,594,905, rendering the ten percent (10%) limit to be \$1, 459,490.50;

(B) that the amount being transferred, being \$44,000, does conform to the statutory limitation provided in IC 36-1-8-5.1(d).

DULY RESOLVED and ADOPTED this 22nd Day of December 2008, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Bernie Zemen, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA
Clerk-Treasurer (IC 33-16-4-1;IC 36-5-6-5)

4. **Works Board Order No. 2008-34:** An Order of the Works Board Authorizing and Approving Offers for the Extension of Certain Contracts for Materials and Services through December 31, 2009, Pursuant to Indiana Code 5-22 et Seq. and § 31.18 of the Highland Purchase Code. Councilor Kuiper moved the passage and adoption of Works Board Order No. 2008-34. Councilor Vassar seconded. Upon a roll call vote, there were four affirmatives and one negative. With Councilors Vassar, Novak, Kuiper and Zemen voting in the affirmative and Councilor Herak voting in the negative, the motion passed. The order was adopted.

**TOWN of HIGHLAND
ORDER of WORKS BOARD NO. 2008-34**

**AN ORDER of the WORKS BOARD AUTHORIZING and APPROVING OFFERS for the
EXTENSION of CERTAIN CONTRACTS for MATERIALS and SERVICES through DECEMBER 31,
2009, Pursuant to INDIANA CODE 5-22 ET SEQ. and § 31.18 of the HIGHLAND PURCHASE
CODE**

Whereas, The Town of Highland did receive bids on February 16, 2007 for Road Materials and Services pursuant to IC 5-22 *et seq.* and on March 26, 2007, the Town Council for the Town of Highland accepted and awarded certain bids as the lowest responsible and responsive bids; and

Whereas, Town had entered into contracts with the successful bidders for 2007 Road Materials and Services and has heretofore determined that again extending the current contracts will realize a cost and time savings, all in the best interest of the Town of Highland; and

Whereas, The Town Council for the Town of Highland, pursuant to IC 5-22-17-4, now wishes to offer contract extensions to the successful bidders of 2007 for Road Materials and Services, under the original terms, conditions and prices for the same term as the original contract (1-year).

Now Therefore Be it Ordered by the Town Council of the Town of Highland, Lake County, Indiana,

Section 1 That the Director of Public Works is hereby ordered to offer contract extensions to the successful bidders of 2007 for Road Materials and Services under the same terms, conditions, and prices for the period January 1, 2009 through December 31, 2009;

Section 2. That the Director of Public Works be authorized to execute each Contract Extension with his signature as attested thereto by the Clerk Treasurer.

Be it So Ordered

DULY, PASSED, ADOPTED and ORDERED by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 8th day of December 2008 having passed by a vote of 4 in favor and 1 opposed.

TOWN COUNCIL of the TOWN of

HIGHLAND, INDIANA

Bernie Zemen, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

5. **Works Board Order No. 2008-38:** An Order Authorizing, Ratifying, Approving and Concurring in the AUTHORIZATION of a MAILING and PRINTING AGREEMENT for the Municipal Utilities and the Civil Town with LITHOGRAPHIC COMMUNICATIONS, LLC and Authorizing payments from Utility and Governmental Funds. *(The agreements were approved by the Waterworks Board of Directors at its meeting of December 11, 2008. This action is to concur in its action and allow the use of governmental funds to share the cost of invoicing for solid waste services.)* Councilor Vassar moved the passage and adoption of Works Board Order No. 2008-38. Councilor Novak seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The order was adopted.

**Town of Highland
Board of Works
Order of the Works Board 2008-38**

An Order Authorizing, Ratifying, Approving and Concurring in the AUTHORIZATION of a MAILING and PRINTING AGREEMENT for the Municipal Utilities and the Civil Town with LITHOGRAPHIC COMMUNICATIONS, LLC and Authorizing payments from Utility and Governmental Funds

WHEREAS, The Department of Waterworks through its Board of Waterworks Directors desires to modify the format of the current invoice transmitted to customers of the Utilities, from its current postcard to an 8.5x11 letter style;

WHEREAS, The United States Postal Service has indicated that owing to its on going process to automat its postal sorting systems and the increasing incompatibility the current format of postal cards had with its sorting and processing technology, its desire that the Utility consider an alternative format from the exiting one of the current invoice transmitted to customers of the Utilities;

WHEREAS, The Clerk-Treasurer, as the purchasing agent for the Office of the Clerk-Treasurer, and as a purchasing agent for the municipal utilities, and pursuant to Highland Municipal Code Section 31.17(D), has communicated that the Town of Highland, by its Department of Waterworks, through its Board of Waterworks Directors, did take steps and identified a service provider that can provide utility mailing and printing services for utility invoices;

WHEREAS, The Clerk-Treasurer or his designee is the purchasing agent for the Office of the Clerk-Treasurer and the municipal utilities, all pursuant to Highland Municipal Code, Section 31.19(D)(10);

WHEREAS, The Clerk-Treasurer or his designee is the billing authority for the waterworks and the municipal utilities, all pursuant to Highland Municipal Code, Section §190.04, § 171.05 and Rule 1.3 of the Waterworks Department;

WHEREAS, The Town of Highland through its Office of the Clerk-Treasurer did review the proposal of Lithographic, Communications, LLC to perform printing and mailing services, all based upon 10,000 monthly units (120,000 annual) with a monthly customer data conversion, invoice printing, mailing and delivery price of \$ 1,160 per month or \$13,920 per year; and

WHEREAS, The Town of Highland through its Office of the Clerk-Treasurer did review the proposal of Lithographic, Communications, LLC to perform printing of the invoice form, based upon a 120,000 units with a monthly price of \$ 16.03 per month or an annual price of \$1,923.60; and

WHEREAS, The Town of Highland through its Office of the Clerk-Treasurer did review the proposal of Lithographic, Communications, LLC to perform printing of the outer envelope, based upon a 120,000 units with a monthly price of \$ 25.15 per month or an annual price of \$3,018; and

WHEREAS, The Town of Highland through its Office of the Clerk-Treasurer did review the proposal of Lithographic, Communications, LLC to perform printing of the inner or customer return envelope, based upon a 120,000 units with a monthly price of \$ 21.93 per month or an annual price of \$2,631.60; and

WHEREAS, As purchasing agency for the Waterworks Utility, the Waterworks Board of Directors at its meeting of **December 11, 2008** did approve the service agreements presented by LITHOGRAPHICS, LLC providing services which will serve the Department of Waterworks and the associated municipal utilities all pursuant to the Highland Municipal Code, Sections 31.17 (D) and Section 31.18(C); and

WHEREAS, The Town Council, acting as the Works Board of the Town of Highland now desires to ratify, accept, approve and **concur** in the proposal for services presented by LITHOGRAPHICS, LLC providing services which will serve the Department of Waterworks and the associated municipal utilities, including the invoices for solid waste collection services, acting as the purchasing agency for the Public Works Department, pursuant to Highland Municipal Code, Sections 31.17(A) (1)&(2) and Section 31.18(C);

NOW, THEREFORE, BE IT RESOLVED, by the Town Council, acting as the Works Board of the Town of Highland, Indiana as follows:

Section 1. That the following service proposals as presented by LITHOGRAPHICS COMMUNICATIONS, LLC to the Town of Highland and authorized and approved by its Waterworks Department is hereby accepted approved and concurred in all respects upon the public works department for its invoicing services related to solid waste collection fees and charges:

(A) The proposal of Lithographic, Communications, LLC to perform printing and mailing services, all based upon 10,000 monthly units (120,000 annual) with a monthly customer data conversion, invoice printing, mailing and delivery price of \$ 1,160 per month or \$13,920 per year; and

(B) The proposal of Lithographic, Communications, LLC to perform printing of the invoice form, based upon a 120,000 units with a monthly price of \$ 16.03 per month or an annual price of \$1,923.60; and

(C) The proposal of Lithographic, Communications, LLC to perform printing of the outer envelope, based upon a 120,000 units with a monthly price of \$ 25.15 per month or an annual price of \$3,018; and

(D) The proposal of Lithographic, Communications, LLC to perform printing of the inner or customer return envelope, based upon a 120,000 units with a monthly price of \$ 21.93 per month or an annual price of \$2,631.60; and

Section 2. That the proposed charges presented in the approved offers, are reasonable and fair;

Section 3. That the Works Board requests that the Clerk-Treasurer take such steps as needed to allow for the cost sharing of these services among the utilities and *the solid waste collection services* that benefit from them;

Section 4. That the proper officers of the municipality or the Clerk Treasurer are hereby authorized and directed to execute the agreement and any additional documents in order to implement the terms of this concurred in offer;

Section 5. That the Municipal Fiscal Officer is hereby authorized to expend governmental funds of the Public Works Department of Highland, for its services related to solid waste collection, in order to support and implement the agreement.

Be it So Ordered.

DULY, PASSED and ORDERED by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 22nd day of December 2008 having passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Bernie Zemen, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA
Clerk-Treasurer (IC 33-16-4-1;IC 36-5-6-5)

6. **Resolution No. 2008-58:** A Resolution Authorizing Temporary Interfund Loan or Transfer for the Park District Bond and Interest, Corporation Bond and Interest and

Redevelopment Bond and Interest Funds, pursuant to IC 36-1-8-4. Councilor Herak moved the passage and adoption of Resolution No. 2008-58. Councilor Novak seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The resolution was adopted.

**TOWN of HIGHLAND
Resolution No. 2008-58**

A RESOLUTION AUTHORIZING TEMPORARY INTERFUND LOANS or TRANSFERS PURSUANT to IC 36-1-8-4

Whereas, The Clerk-Treasurer has advised the Town Council that cash balances in the **Parks District Bond and Interest Fund**, the **Corporation Bond and Interest Fund** and the **Redevelopment District Bond and Interest Fund**, are not sufficient to meet their regular operating expenses prior to the receipt of the distribution of ad-valorem revenues, which includes the *FY 2008 receivable of property taxes* and the *FY 2009 property taxes* in the course of collection, so it has become necessary to temporarily borrow money to enhance the fund;

Whereas, The Clerk-Treasurer has advised that there is sufficient money on deposit to the credit of the **Parks Non-Reverting Capital**, the **Corporation Capital** and the **Redevelopment Capital Funds** that can be temporarily transferred;

Now, Therefore Be it Resolved by the Town Council of the Town of Highland, Lake County, Indiana as follows:

Loan 1

Section 1. That the amount of **\$271,808.00** be borrowed for the **Parks District Bond and Interest Fund** with the amount of **\$271,808.00** to be loaned by the **Parks Non-Reverting Capital Fund**;

Section 2. That said loan in the amount of **\$271,808.00** be repaid to the **Parks Non-Reverting Capital Fund** of the Town of Highland upon receipt of sufficient tax or other monies in the **Parks District Bond and Interest Fund** with such loan to be repaid no later than December 31, 2009, subject to IC 36-1-8-4(b).

Loan 2

Section 3. That the amount of **\$12,240.00** be borrowed for the **Corporation Bond and Interest Fund** with the amount of **\$12,240.00** to be loaned by the **Corporation Capital Fund**;

Section 4. That said loan in the amount of **\$12,240.00** be repaid to the **Corporation Capital Fund** of the Town of Highland upon receipt of sufficient tax or other monies in the **Corporation Bond and Interest Fund** with such loan to be repaid no later than December 31, 2009, subject to IC 36-1-8-4(b).

Loan 3

Section 5. That the amount of **\$247,992.00** be borrowed for the **Redevelopment District Bond and Interest Fund** with the amount of **\$247,992.00** to be loaned by the **Redevelopment Capital Fund**;

Section 6. That said loan in the amount of **\$247,992.00** be repaid to the **Redevelopment Capital Fund** of the Town of Highland upon receipt of sufficient tax or other monies in the **Redevelopment District Bond and Interest Fund** with such loan to be repaid no later than December 31, 2009, subject to IC 36-1-8-4(b).

Duly Adopted by the Town Council of the Town of Highland, Lake County, Indiana, this 22nd day December 2008. Having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Bernie Zemen, President IC 36-5-2-10

Attest:

Michael W. Griffin, IAMC/CMC/CPFA
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

7. **Proposed Ordinance No. 1419:** An Ordinance to Establish a Special Committee to Plan, Coordinate, and Implement Appropriate Commemoration of the Centennial Anniversary of the Incorporation of the Town of Highland, Lake County, Indiana, pursuant to IC 36-1-3 and IC 36-10-2 et seq. *Councilor Vassar introduced and filed Ordinance No. 1419. There was no further action.*

8. **Consideration of Group Health Insurance Plan for the Municipal Work Force for FY 2009.** Presently the basic increase in premium with is in excess of 27%. The FY 2009 budget only allowed for an increase of 12%. The Town Council will need to select one from several options as presented by the broker, Brown Insurance Group., Inc.

The Town Council recognized Tom Brown of Brown Insurance Group to offer a survey of the several plan ideations in plan design for the group health plan for the full-time municipal workforce. Mr. Brown explained that if the Town elected to maintain the current plan as designed, the premiums increase would be 27%. It was noted that the FY 2009 budget was adopted to allow only up to a 12% increase. Noting this, Mr. Brown presented alternatives in plan design, (e.g. changing office co-pays or deductibles) which would offer lower increases to the current premiums. It was further noted that an option should be selected for the conventional plan and one for the higher deductible for the workers who elect to participate in the Health Savings Account option. After a colloquy between and among the Town Council, the Clerk-Treasurer and Mr. Brown, the Council determined to act.

Councilor Vassar moved and Councilor Kuiper seconded that the Town Council approve was described as United Health Care Plan Option 4 and Option 6. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The United Health Care Plans as described below were adopted and approved.

United Health Care Plan, Option 4.

Employee (single)	\$ 441.21 monthly
Employee + Spouse	\$ 926.55 monthly
Employee + child(ren)	\$ 758.90 monthly
Employee + family	\$1,332.47 monthly
Deductibles (individual/ family)	In network: \$250/\$500 Out of network: \$750/\$1,500
Office co pays:	primary care: \$25 per visit Specialists' care:\$40 per visit

United Health Care Plan, Option 6 (Higher deductible plan for Health Savings Account Option).

Employee (single)	\$ 251.96 monthly
Employee + Spouse	\$ 776.24 monthly
Employee + child(ren)	\$ 635.77 monthly
Employee + family	\$1,116.31 monthly
Deductibles (individual/ family)	In network: \$1,500/\$3,000 Out of network: \$3,500/\$7,000
Office co pays:	primary care: \$0 per visit Specialists' care:\$0 per visit

NEW BUSINESS

Amendment to the Agenda. Councilor Herak moved that the agenda be amended to add the calling of a special study session of the Town Council. Councilor Kuiper seconded. Upon a roll call vote, a two-thirds vote being necessary, there were five affirmatives and no negatives. The motion passed. The agenda was amended as moved.

1. **Authorization for a Special Study Session of the Town Council, pursuant to Section § 30.27 (E) of the municipal code.** Councilor Vassar moved to authorize and call a special

study session on Friday, December 26, 2008 at 8:30 a.m. Councilor Kuiper seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The special meeting was authorized.

Comments from the Town Council Members

- **Councilor Mark Herak:** *Advisory Board of Zoning Appeals Liaison • Board of Sanitary Commissioners Liaison • Special Events Advisory Committee, Liaison.*

Councilor Herak wished a Merry Christmas and a Happy New Year to the Council members, the Clerk-Treasurer and the persons in attendance.

- **Councilor Dan Vassar:** *Parks and Recreation Board Liaison • Building and Inspection Committee • Plan Commission member.*

Councilor Vassar wished a Merry Christmas and a Happy New Year to the Council members, the Clerk-Treasurer and the persons in attendance.

- **Councilor Brian Novak:** *Waterworks Board Liaison • Fire Personnel Committee • Lake County Solid Waste Management District Board of Directors • Insurance committee, member.*

Councilor Novak commended the Fire Department for its recent acquisition of the Brush Truck, and noted his inspection of the vehicle.

Councilor Novak also wished a Merry Christmas and a Happy New Year to the Council Members, the Clerk-Treasurer and the persons in attendance.

- **Councilor Konnie Kuiper:** *Town Board of Metropolitan Police Commissioners Liaison • Traffic Safety Commission Member • Chamber of Commerce Liaison.*

Councilor Kuiper noted that the Traffic Safety Committee was scheduled to meet on Wednesday, January 7, 2009 at 2:00 p.m.

Councilor Kuiper also wished a Merry Christmas and a Happy New Year to the Council Members, the Clerk-Treasurer and the persons in attendance.

- **Councilor Bernie Zemen:** *Town Executive • Police Pension Board of Trustees Chair • Budget Committee Chair • Redevelopment Commission Liaison • Plan Commission member • Insurance Committee, member.*

The Town Council President wished a Merry Christmas and a Happy New Year to the Council Members, the Clerk-Treasurer and the persons in attendance.

Comments from the Public

1. James Diehl, 10104 Kennedy Avenue, Highland, opined that his mailbox was recently damaged by the effects of municipal snowplows. It was noted that the force of the discharge or displacement of the snow as plowed sometimes can cause such damage.

Payment of Accounts Payable Vouchers. There being no further business from the floor, Councilor Novak moved to allow the accounts payable vouchers as filed on the pending pay docket, covering the period December 09, 2008 through to December 22, 2008. Councilor Kuiper seconded. Upon a roll call vote, there were five affirmatives and no negatives. The

motion passed. The accounts payable vouchers were allowed and the clerk-treasurer was authorized to make payment.

General Fund, \$280,082.16; Motor Vehicle Highway and Street (MVH) Fund, \$31,065.76; Local Forfeit and Seized Assets Fund, \$110.49; Law Enforcement Continuing Education, Training and Supply Fund, \$228.76; Information Communications Technology Fund, \$5,538.16; Solid Waste District Grant Fund, \$107,447.69; Civil Donation Fund, \$6.78; Local Major Moves Fund, \$102,645.92; Special Events Fund, \$175.00; Police Pension Fund, \$58,256.23; Cumulative Capital Improvement Fund, \$6,237.47; Municipal Cumulative Capital Development Fund, \$24,340.75; Safe Neighborhood Grant Fund, \$1,615.38; Total: \$617,750.55.

Adjournment. Councilor Kuiper moved that the meeting be adjourned. Councilor Novak seconded. Upon a vote, *viva voce*, the motion passed. The regular meeting of the Town Council of **Monday, December 22, 2008** was adjourned at 7:56 O'clock p.m.

Study Session. The Twenty Sixth Town Council of the Town of Highland, Lake County, Indiana met in a study session following the regular meeting on Monday, December 22, 2008 at 8:00 O'clock P.M. in the regular place, the upper meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

Silent Roll Call: Councilors Brian Novak, Mark Herak, Bernie Zemen, Konnie Kuiper and Dan Vassar. The Clerk-Treasurer Michael W. Griffin was present to memorialize the proceedings. A quorum was attained. Councilor

Also present: Jim DeGraaf of the Town Board of Metropolitan Police Commissioners was also present.

General Substance of Matters Discussed

1. The Town Council conducted an interview with Mr. Jim De Graaf (D), 3620 Ridge Road, Highland, a current member of the Town Board of Metropolitan Police Commissioners whose term was set to expire on January 1,2009 and who expressed interest in being re-appointed.

The Town Council discussed with Mr. DeGraaf the bringing about of the "take-home-car" program and modification to the schedule for patrol officers as contributions from his service on the Board. The Town Council and Mr. DeGraaf discussed his impressions of the rate of officer turnover in the metropolitan police department, his suggestions on how to enhance officer retention. Mr. DeGraaf suggested that offering paid employer paid insurance to retirees may be a means to encourage officer retention. The discussion included the police officer compensation in Highland as compared to surrounding communities.

Mr. DeGraaf departed at this time.

2. The Town Council conducted an interview with David Darnell (D), 3550 Wirth Road, Highland, who expressed an interest in an appointment to the Town Board of Metropolitan Police Commissioners.

Mr. Darnell stated that he desired an appointment in order to address the rate of officer turnover and issues of morale. The discussion included exploration of Mr. Darnell's thoughts on the ways and means of improving officer retention and encouraging greater enforcement productivity.

The Town Council discussed with Mr. Darnell the issue of a possible conflict of interest if he were appointed, noting the fact that his towing business was engaged as a towing service provider for the department and that his son in law was an police officer employed in the department. Mr. Darnell did not believe that these matters should be barriers to his appointment.

The Town Council inquired about Mr. Darnell's ability to attend meetings, and his willingness to be paid by direct deposit if appointed. Mr. Darnell indicated he could attend meetings and would be willing to be paid by direct deposit.

The Town Council inquired of Mr. Darnell whether or not there was anything in his background that may bring embarrassment of disrepute to the Town. Mr. Darnell indicated that there was none.

Mr. Darnell departed at this time.

3. The Town Council conducted an interview with Mike Kelly (D), 3236 Martha Street, Highland, who expressed an interest in an appointment to the Town Board of Metropolitan Police Commissioners.

Mr. Kelly stated that he desired an appointment in order to address the rate of officer turnover and issues of what Mr. Kelly described as "favoritism" and "unequal treatment" of officers.

The Town Council discussed with Mr. Kelly how he might take direction from the Town Council as a member of the Town Board of Metropolitan Police Commissioners. The discussion included an exploration of whether or not his current position with the Lake Superior Court would present a potential conflict and whether or not his employer would consent to his appointment. Mr. Kelly expressed his belief that not conflict exists and reported that his employer would not object to his appointment.

The Town Council inquired about Mr. Kelly's ability to attend meetings, and his willingness to be paid by direct deposit if appointed. Mr. Kelly indicated he could attend meetings and would be willing to be paid by direct deposit.

The Town Council inquired of Mr. Kelly whether or not there was anything in his background that may bring embarrassment of disrepute to the Town. Mr. Kelly indicated that there was none.

Mr. Kelly departed at this time.

4. The Town Council reflected on the interviews just concluded and discussed whether or not there was any substance to impressions expressed during the interviews regarding favoritism, officer turnover, worker factions, and morale. The discussion included an exploration of causes to the issues if true or to the cause of the perceptions expressed in some of the interviews about the metropolitan police department. The discussion included an exploration of the ways and means to correct these issues if they exit.

The Town Council President departed at this time.

5. The Town Council discussed photographs of the generators for some of the pump stations of the Sanitary District. The Town Council determined that these pictures should be displayed on the municipal website with appropriate descriptive text. The several members of the own

Council noted that acquisition of back up generators for the sanitary pump stations were policy objectives that they espoused when seeking election to the Town Council.

6. The Town Council discussed the Park and Recreation Department's pending Lincoln Community Center Improvement Project, particular discussing the feasibility of the proposed inclusion of a fitness center, and concerns of some council members regarding current adequacy of security and rules enforcement at Field House at the Lincoln Community Center.

There being no further matters for discussion, the study session following the regular meeting of the Town Council of **Monday, December 22, 2008** was adjourned at 9:29 o'clock p.m.

Michael W. Griffin, IAMC/MMC/CPFA
Clerk-Treasurer